

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

v.

Criminal No. 04-37

FILED

ANTHONY N. JACKSON

MAR 11 2009

MOVANT'S BELATED MOTION FOR RECONSIDERATION/
REDUCTION OF SENTENCE

CLERK U.S. DISTRICT COURT
WEST. DIST. OF PENNSYLVANIA

Comes now, ANTHONY N. JACKSON, pro se, who respectfully submits
in this Honorable Court, the above captioned motion for the
following reasons:

1. Consistent with Movant's 12255 motion, trial Counsel
was ineffective for failing to request a sentence reduction,
or for Movant's federal and state prison sentence terms be
served concurrently at Movant's behest, and said motion should be
entertained nunc pro tunc.

2. United States v. Gunter, 527 F.3d 282 (3d Cir, 2008);

United States v. Williams, 46 F.3d 57 (10th Cir. 1995) holds:

"(t)he plain meaning of 18 U.S.C. § 3584 (a) is
that multiple terms of imprisonment
at different times will normally run
consecutively, unless the district
court affirmatively orders that the
terms be served concurrently."

AND NOW, THIS 11th DAY OF
March 2009, IT IS HEREBY
ORDERED THAT THE WITHIN
MOTION IS DENIED.

[Signature]

GARY L. LANCASTER,
UNITED STATES DISTRICT JUDGE

Movant is requesting this Court to affirmatively order that
Movant's federal and state prison terms be served concurrently
based on the fact that Detective Kavals tenuous identification
of Movant tossing firearms out of the window of the Everton
home blinks reality. Common sense dictate that Kavals could
not positively identified the very dark hued Movant on a
nigrescent night throwing two (2) pistols out of said window